

1 DAVID L. ANDERSON (CABN 149604)
United States Attorney

2 HALLIE HOFFMAN (CABN 210020)
3 Chief, Criminal Division

4 ROBERT S. LEACH (CABN 196191)
Assistant United States Attorney

5 1301 Clay Street, Suite 340S
6 Oakland, California 94612
7 Telephone: (510) 637-3680
8 Fax: (510) 637-3724
Email: Robert.Leach@usdoj.gov

9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) Case No. CR 18-577 CRB
14 Plaintiff,) STIPULATION AND ~~PROPOSED~~ ORDER
15 v.)
16 STEPHEN KEITH CHAMBERLAIN,)
17 Defendant.)
18 _____)

19 **STIPULATION**

20 WHEREAS, on November 29, 2018, the Grand Jury returned an Indictment against Stephen
21 Keith Chamberlain, a resident of the United Kingdom [ECF No. 1];

22 WHEREAS, on February 4, 2019, defendant Chamberlain (“the defendant”) appeared before the
23 Court (with counsel specially appearing), was arraigned on the Indictment, and pleaded not guilty to all
24 counts;

25 WHEREAS, on March 21, 2019, the Grand Jury returned a Superseding Indictment against
26 Chamberlain [ECF No. 21];

27
28 STIPULATION AND ~~PROPOSED~~ ORDER
CASE NO. CR 18-577 CRB

1 WHEREAS, on January 23, 2020, the Court entered a protective order respecting certain
2 discovery;

3 WHEREAS, on January 27, 2020, the government produced a substantial volume of discovery to
4 the defendant, including materials subject to the protective order;

5 WHEREAS, on February 21, 2020, the government made an additional production of discovery
6 to the defendant;

7 WHEREAS, this matter was scheduled for status conference on April 15, 2020, at 1:30 p.m;

8 WHEREAS, on March 16, 2020, the Court issued General Order No. 72 (IN RE: Coronavirus
9 Disease Public Health Emergency), providing that “due to the Court’s reduced ability to obtain an
10 adequate spectrum of jurors and the effect of the above public health recommendations on the
11 availability of counsel and court staff to be present in the courtroom, the time period of the continuances
12 implemented by this General Order will be excluded under the Speedy Trial Act, as the Court
13 specifically finds that the ends of justice served by ordering the continuances outweigh the interest of the
14 public and any defendant’s right to a speedy trial pursuant to 18 U.S.C. section 3161(h)(7)(A)”;

15 WHEREAS, on March 29, 2020, the Court issued a Clerk’s Notice Vacating Status Conference
16 on April 15, 2020, and resetting it for June 17, 2020;

17 WHEREAS, the parties stipulate and agree that an exclusion of time under the Speedy Trial Act
18 from April 15, 2020, to June 17, 2020, is appropriate due to the complexity of the case, the need for
19 defense counsel to review relevant evidence including recently produced discovery, consult with the
20 defendant in the United States, and effectively prepare, and the ongoing Coronavirus pandemic;

21 THEREFORE, the parties stipulate and agree, and respectfully request that the Court order, that
22 excluding time from April 15, 2020, to June 17, 2020, will allow for the effective preparation of counsel
23 given the complexity of the case. *See* 18 U.S.C. § 3161(h)(7)(B)(ii) & (iv). The parties further stipulate
24 and agree that the ends of justice served by excluding the time from April 15, 2020, to June 17, 2020,
25 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant
26 in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(ii) & (iv). The parties stipulate and agree the Court
27 shall enter the proposed order below.

28 IT IS SO STIPULATED.

1 DATED: March 31, 2020

DAVID L. ANDERSON
United States Attorney

2 /s/

3 ROBERT S. LEACH
Assistant United States Attorney

4 DATED: March 31, 2020

BIRD, MARELLA, BOXER, WOLPERT,
NESSIM, DROOKS, LINCENBERG, & RHOW,
P.C.

7 /s/


8 ARIEL A. NEUMAN
Attorneys for Defendant Stephen Chamberlain

9
10 ~~PROPOSED~~ ORDER

11 Based upon the facts set forth in the stipulation of the parties and the representations made to the
12 Court, and for good cause shown, the Court finds that failing to exclude the time from April 15, 2020, to
13 June 17, 2020, would unreasonably deny defense counsel and the defendant the reasonable time
14 necessary for effective preparation, taking into account the exercise of due diligence and the complexity
15 of the case. 18 U.S.C. § 3161(h)(7)(B)(ii) & (iv). The Court further finds that the ends of justice served
16 by excluding the time from April 15, 2020, to June 17, 2020, from computation under the Speedy Trial
17 Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, and with the
18 consent of the parties, IT IS HEREBY ORDERED that the time from April 15, 2020, to June 17, 2020,
19 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(ii) &
20 (iv).

21 IT IS SO ORDERED.

22 DATED: April 3, 2020

23 
24 THE HONORABLE CHARLES R. BREYER
United States District Judge